

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: SEP 21 2017

UNITED STATES OF AMERICA

- v. -

JAMES DAVID WILLIAMS,

Defendant.

**SUPERSEDING
INFORMATION**

S4 16 Cr. 436 (KMW)

COUNT ONE

(Conspiracy to Commit Wire Fraud)

The United States Attorney charges:

1. From at least in or about 2002, up to and including in or about 2016, in the Southern District of New York and elsewhere, JAMES DAVID WILLIAMS, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit wire fraud in violation of Title 18, United States Code, Section 1343.

2. It was a part and an object of the conspiracy that JAMES DAVID WILLIAMS, the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television

communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, WILLIAMS transmitted or caused to be transmitted interstate electronic mail, telephone calls, and wire transfers of funds in the course of fraudulently inducing individuals to invest in the production and marketing of feature-length films by, among other things, promising the individuals guaranteed returns and profits, and misrepresenting the amount of funding his co-conspirators and other investors had already contributed to the film projects.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Wire Fraud)

The United States Attorney further charges:

3. From at least in or about 2002, up to and including in or about 2016, in the Southern District of New York and elsewhere, JAMES DAVID WILLIAMS, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and

foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, WILLIAMS participated in a scheme to fraudulently induce individuals to invest in the production and marketing of feature-length films by, among other things, promising the individuals guaranteed returns and profits, and misrepresenting the amount of funding they and other investors had already contributed to the film projects, and in connection therewith and in furtherance thereof, WILLIAMS, transmitted or caused to be transmitted interstate electronic mail, telephone calls, and wire transfers of funds.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT THREE

(Wire Fraud)

The United States Attorney further charges:

4. In or about 2015, in the Central District of California and elsewhere, JAMES DAVID WILLIAMS, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings,

signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, WILLIAMS created false documents purporting to demonstrate that a fictitious entity held an interest in residential property he owned to, among other things, conceal the value of his assets during civil litigation, and in connection therewith and in furtherance thereof, WILLIAMS, transmitted or caused to be transmitted interstate electronic mail, telephone calls, and wire transfers of funds.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT FOUR

(Wire Fraud)

The United States Attorney further charges:

5. From at least in or about 2012 through in or about 2014 in the Central District of California and elsewhere, JAMES DAVID WILLIAMS, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, WILLIAMS

created false documents purporting to demonstrate the assets of an entity named Garuda Trust in an effort to secure financing in connection with transactions relating to a yacht and a residential property, and in connection therewith and in furtherance thereof, WILLIAMS, transmitted or caused to be transmitted interstate electronic mail, telephone calls, and wire transfers of funds.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT FIVE

(Aggravated Identity Theft)

The United States Attorney further charges:

6. Between in or about November 2015 and in or about June 2016, in the Central District of California and elsewhere, JAMES DAVID WILLIAMS, the defendant, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, WILLIAMS used the name and signature of another individual in connection with the offenses charged in Counts One and Two of this Information.

(Title 18, United States Code, Sections 1028A(a)(1),
1028A(b), and 2.)

COUNT SIX

(Conspiracy to Commit Money Laundering)

The United States Attorney further charges:

7. From at least in or about 2002 through in or about 2016, in the Southern District of New York and elsewhere, JAMES DAVID WILLIAMS, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1957(a).

8. It was a part and an object of the conspiracy that JAMES DAVID WILLIAMS, the defendant, and others known and unknown, in an offense that took place in the United States, knowingly engaged and attempted to engage in monetary transactions in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, in violation of Title 18, United States Code, Section 1957(a), to wit, WILLIAMS used fraudulently obtained funds derived from the wire fraud offenses charged in Counts One and Two of this Information to, among other things, pay for his own personal expenses.

(Title 18, United States Code, Section 1956(h).)

FIRST FORFEITURE ALLEGATION

9. As a result of committing the offenses alleged in Counts One, Two, Three, and Four of this Information, JAMES DAVID WILLIAMS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, which constitutes and is derived from proceeds traceable to the offenses alleged in Counts One, Two, Three, and Four, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

SECOND FORFEITURE ALLEGATION

10. As a result of committing the offense alleged in Count Six of this Information, JAMES DAVID WILLIAMS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in the offense alleged in Count Six and any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense.

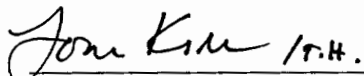
SUBSTITUTE ASSETS

11. If any of the above-described forfeitable property, as a result of any act or omission of JAMES DAVID WILLIAMS, the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


JOON H. KIM TH
Acting United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JAMES DAVID WILLIAMS,

Defendant.

SUPERSEDING
INFORMATION

S4 16 Cr. 634 (KMW)

(18 U.S.C. §§ 1028A, 1343, 1349,
1956(h), and 2.)

JOON H. KIM
Acting United States Attorney.
